

Notice of Allowability

Application No.

10/531,383

Applicant(s)

AHN ET AL.

Examiner

James D. Ewart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application dated 04-15-2005.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10-25-2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. Claims 1-8 are allowed. The reason for allowability is indicated below:

Referring to claim 1, the references cited do not teach a method of providing an arbitrary sound as an RBT (RingBack Tone) in a telephone communication network, comprising: ***a first step, conducted by an exchanger when a call is received from a terminal, of checking subscriber information to know whether the calling terminal and a called terminal have subscribed to RBT replacement service, and, if it is confirmed from the checking that the calling terminal has subscribed to RBT replacement service*** and the called terminal is a subscriber of other telephone communication network, requesting a first trunk connection to said other telephone communication network while requesting a second trunk connection to a sound providing means with reference to preset routing information to the sound providing means; a second step, conducted by the sound providing means, of selecting an RBT-replacing sound set for the calling terminal based on information contained in the request of the second trunk connection, and providing the selected RBT-replacing sound for the calling terminal through the exchanger the second trunk connection is made to; and a third step, conducted by the exchanger, of releasing the second trunk connection by requesting the sound providing means to release the second trunk connection when call acceptance of the called terminal is informed via the first trunk connection. Since the claim is written with checking both the caller and callees subscription to ringback replacement and selecting the callers ringback replacement, it is apparent that the callee is checked first for ringback replacement and when its found that the callee doesn't have ringback replacement, checking the caller for ringback replacement as it as it

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wouldn't make sense to check the callers ringback replacement and then the callees ringback replacement when the selection is going to be the callers ringback replacement. Examiner has found the Millar et al. reference in which the caller is connected to his/her preferred ringback replacement and references Hirose and Kim, in which the caller is connected to the callees ringback replacement, however the Miller et al reference is tailored for the subscriber and chosen by the subscriber and there would be no reason to make the callees ringback replacement preferred over the one chosen by the caller. The same applies to ringback replacements with advertisements, however applicant has reason to check the callees ringback replacement first as the sole purpose of applicants ringback replacement is to inform the caller or remind the caller as to whom he/she is calling.

Referring to claim 3, the references cited do not teach a method of providing an arbitrary sound as an RBT (RingBack Tone) in a telephone communication network, comprising: *a first step, conducted by an HLR (Home Location Register) when a location request message is received from a call-originating exchanger, of checking subscriber information to know whether a calling terminal and a called terminal have subscribed to RBT replacement service, and sending the call-originating exchanger a response message to the location request message, the response message containing information about RBT replacement service subscribed-or-not for the calling and the called terminal*; a second step, conducted by the call-originating exchanger, of requesting a first trunk connection to a call-terminating exchanger, *and, if the information about RBT replacement service subscribed-or-not indicates that only the calling terminal has subscribed to RBT replacement service*, requesting a second trunk

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connection to a sound providing means with reference to preset routing information to the sound providing means; a third step, conducted by the sound providing means, of selecting an RBT-replacing sound set for the calling terminal based on information contained in the request of the second trunk connection, and providing the selected RBT-replacing sound for the calling terminal through the call-originating exchanger the second trunk connection is made to; and a fourth step, conducted by the call-originating exchanger, of releasing the second trunk connection by requesting the sound providing means to release the second trunk connection when call acceptance of the called terminal is informed via the first trunk connection. (See the notes for claim 1)

Referring to claim 4, the references cited do not teach a method of providing an arbitrary sound as an RBT (RingBack Tone) in a telephone communication network, comprising: ***a first step, conducted by an HLR (Home Location Register) when an origination request message is received from a call-originating exchanger, of checking subscriber information to know whether a calling terminal and a called terminal have subscribed to RBT replacement service, and sending the call-originating exchanger a response message to the origination request message, the response message containing information about RBT replacement service subscribed-or-not for the calling and the called terminal*** and routing information for a sound providing means; a second step, conducted by the call-originating exchanger, of requesting a first trunk connection to the sound providing means with reference to the received routing information included in the response message, ***if the information about RBT replacement service subscribed-or-not indicates that only the calling terminal has subscribed to RBT***

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replacement service; and a third step, conducted by the sound providing means, of selecting an RBT-replacing sound set for the calling terminal based on information contained in the request of the first trunk connection, and transmitting the selected RBT-replacing sound for the calling terminal through the call-originating exchanger the first trunk connection is made to, and, if the called terminal is a subscriber of other telephone communication network, requesting a second trunk connection to said other telephone communication network, and, if call acceptance of the called terminal is informed via the second trunk connection, stopping transmission of the RBT replacing sound and connecting the first and the second trunk connection to make a communication path between the calling and the called terminal. (See the notes for claim 1)

Referring to claim 8, the references cited do not teach a method of providing an arbitrary sound as an RBT (RingBack Tone) in a telephone communication network, comprising: *a first step, conducted by an HLR (Home Location Register) when a location request message is received from a call-originating exchanger, of checking subscriber information to know whether a calling terminal and a called terminal have subscribed to RBT replacement service, and sending a call-terminating exchanger a routing information request message including service-related information that contains information about RBT replacement service subscribed-or-not for the calling and the called terminal* and routing information for a sound providing means; a second step, conducted by the call-terminating exchanger When a first trunk connection request is received from the call-originating exchanger, of requesting a second trunk connection to a sound providing means based on the received service-related information, *if it is confirmed from the service-related information that only the calling terminal has subscribed*

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to RBT replacement service; a third step, conducted by the sound providing means, of selecting an RBT-replacing sound set for the calling terminal based on information contained in the request of the second trunk connection, and providing the selected RBT-replacing sound for the calling terminal through the call-originating exchanger; and a fourth step, conducted by the call-terminating exchanger, of releasing the second trunk connection by requesting the sound providing means to release the second trunk connection when a call is accepted by the called terminal. (See the notes for claim 1)

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Birze U.S. Patent No. 5,926,537 discloses generating a distinctive ring tone for a calling party subscriber within a telecommunications network.

Chavaez, Jr. Et al. U.S. Patent No. 6,603,844 discloses advertised ring back in a telecommunications switching system.

Choe et al. U.S. Patent Publication No. 2004/0114732 discloses apparatus and method for editable personalized ring back tone service.

Cohen et al. U.S. Patent No. 6,385,308 discloses telephone system and method for personalized announcements.

Creamer et al. U.S. Patent No. 2004/0120493 discloses dynamic ringback services.

Gregorek et al. U.S. Patent No. 5,321,740 discloses telephone marketing system.

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Hasemann U.S. Patent No. 6,985,570 discloses method for the establishment of a telecommunication link.

Hirose U.S. Patent No. 6,937,708 discloses telephone service method and telephone service apparatus.

Jiang et al. U.S. Patent Publication No. 2004/0120494 discloses method and system for customized call termination.

Kalmanek, Jr. et al. U.S. Patent No. 6,574,335 discloses method for stimulating a ring back for a call between parties in different communication networks.

Kim et al. WO 00/49793 discloses advertising method by using ring-back tone.

Koch et al. U.S. Patent No. 6,687,341 discloses network and method for the specification and delivery of customized information content via a telephone interface.

Millar et al. U.S. Patent No. 6,088,440 discloses method and apparatus for operating a telephone exchange having selectable audio sources.

Olschwang et al. U.S. Patent Publication No. 2004/0174983 discloses configurable call progress tones.

Park et al. WO 01/86931 A1 discloses method and apparatus for providing advertisement during call wait in telephone network system and telephone instrument.

Rojmyr WO 00/39988 discloses external access to subscription information in a telecommunications system.

Sleeve U.S. Patent No. 4,811,382 discloses method and apparatus for applying messages in a telecommunications network.

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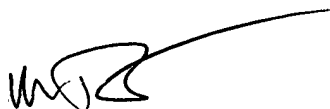
Takeuchi U.S. Patent Publication No. 2002/0183048 discloses portable terminal service method.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2600.



James Ewart
January 13, 2006



WILLIAM TROST
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